

FORM PTO-1390		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 2946-201
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. Application No. (if known) 10/575787 New Application
INTERNATIONAL APPLICATION NO. PCT/JP2004/013108	INTERNATIONAL FILING DATE September 9, 2004	PRIORITY DATE CLAIMED October 15, 2003	
TITLE OF INVENTION EMBROIDERY DATA CREATION DEVICE, EMBROIDERY DATA CREATION METHOD, AND EMBROIDERY DATA CREATION PROGRAM			
APPLICANT(S) FOR DO/EO/US Takeuchi NOBUYUKI, Okubo ATSUSHI, Nishioka HISATAKA			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). ITEMS 11. TO 20. below concern other document(s) or information included: 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input checked="" type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).			

US APPLICATION NO. (known) New Application 101575787	INTERNATIONAL APPLICATION NO. PCT/JP2004/013108	ATTORNEY DOCKET NO. 2946-201																
20. <input checked="" type="checkbox"/> Other items or information: <input type="checkbox"/> RO/101 <input type="checkbox"/> RO/105 <input checked="" type="checkbox"/> ISA/210(ISR) <input type="checkbox"/> IB/301 <input type="checkbox"/> IB/304 <input type="checkbox"/> IB/308 <input type="checkbox"/> IB 401 <input checked="" type="checkbox"/> IB/409(IPER) <input type="checkbox"/> IB/416 <input checked="" type="checkbox"/> Published Application WO 2005/038118A1 1 st Page																		
21. The following fees are submitted: <input checked="" type="checkbox"/> Basic National Fee \$300.00	<u>CALCULATIONS</u> \$ 300	<u>PTO USE ONLY</u>																
22. <input checked="" type="checkbox"/> Examination Fee If the written opinion prepared by ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 All other situations \$200.00	\$ 200																	
23. <input type="checkbox"/> Search Fee If the written opinion of the ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Authority \$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400.00 All other situations \$500.00	\$ 400																	
TOTAL OF 21, 22 AND 23 =		\$ 900																
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.	\$																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">Total Sheets</th> <th style="width: 15%;">Extra Sheets</th> <th style="width: 40%;">Number of each additional 50 or fraction thereof</th> <th style="width: 30%;">Rate</th> </tr> <tr> <td style="text-align: center;">- 100 =</td> <td style="text-align: center;">/ 50 =</td> <td></td> <td style="text-align: center;">x 250</td> </tr> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Rate	- 100 =	/ 50 =		x 250	\$									
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Rate															
- 100 =	/ 50 =		x 250															
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).		\$																
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">Claims</th> <th style="width: 15%;">Number Filed</th> <th style="width: 40%;">Number Extra</th> <th style="width: 30%;">Rate</th> </tr> <tr> <td>Total Claims</td> <td style="text-align: center;">14 -20 =</td> <td></td> <td style="text-align: center;">X \$50.00</td> </tr> <tr> <td>Independent Claims</td> <td style="text-align: center;">3 -3 =</td> <td></td> <td style="text-align: center;">X \$200.00</td> </tr> <tr> <td colspan="3" style="padding-top: 5px;">Multiple dependent claim(s) (if applicable)</td> <td style="text-align: center;">+ \$360.00</td> </tr> </table>	Claims	Number Filed	Number Extra	Rate	Total Claims	14 -20 =		X \$50.00	Independent Claims	3 -3 =		X \$200.00	Multiple dependent claim(s) (if applicable)			+ \$360.00	\$	
Claims	Number Filed	Number Extra	Rate															
Total Claims	14 -20 =		X \$50.00															
Independent Claims	3 -3 =		X \$200.00															
Multiple dependent claim(s) (if applicable)			+ \$360.00															
TOTAL OF ABOVE CALCULATIONS =		\$ 900																
<input type="checkbox"/> Applicant claims small entity status. The fees indicated above are reduced by 1/2.		\$																
SUBTOTAL =		\$ 900																
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+ \$																
TOTAL NATIONAL FEE =		\$ 900																
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+ \$ 40																
TOTAL FEES ENCLOSED =		\$ 940																
		Amount to be refunded \$																
		Amount to be charged \$																

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a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 02-2135 in the amount of \$ 940 to cover the above fees and \$40 to cover the assignment recordation fee. A duplicate copy of this sheet is enclosed.

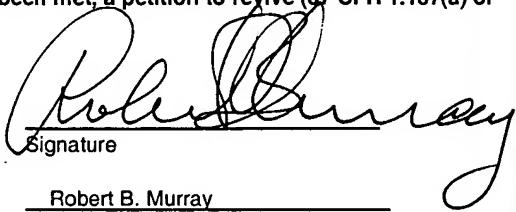
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 06449

Rothwell, Figg, Ernst & Manbeck
 1425 K St., N.W.
 Washington, D.C. 20005
 Phone: 202/783-6040


 Signature

Robert B. Murray
 Name

22,980
 Registration Number